



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/804,172

03/19/2004

Yoshifumi Sanuki

1046.1319

6771

21171 7590 07/09/2008

STAAS & HALSEY LLP

SUITE 700

1201 NEW YORK AVENUE, N.W.

WASHINGTON, DC 20005

EXAMINER

RUBIN, BLAKE J

ART UNIT

PAPER NUMBER

2157

MAIL DATE

DELIVERY MODE

07/09/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/804,172	<b>Applicant(s)</b> SANUKI ET AL.	
	<b>Examiner</b> BLAKE RUBIN	<b>Art Unit</b> 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 3,5,6,8,9,12,14,15,18,20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3,5,6,8,9,12,14,15,18,20 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☒ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/26/08, 4/25/08, and 5/28/08</u> .                           | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This action is a response to communications filed April 25, 2008
2. Claims 3, 5, 6, 8, 9, 12, 14, 15, 18, 20 and 21 are pending in this application.  
Claims 3, 5, 6, 8, 9, 12, 14, 15, 18, 20 and 21 are currently amended. Claims 1, 2, 4, 7, 10, 11, 13, 16, 17, and 19 have been cancelled
3. This application claims priority to Japanese Patent Application No. 2003-208295, filed 8/21/2003.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 3, 5, 6, 8, 9, 12, 14, 15, 18, 20 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Bahlmann (U.S. Patent No. 6,578,074).**

6. With respect to claim 3, Bahlmann discloses an apparatus for assigning a unique identifier to a communication device which uses the unique identifier to perform communication (column 3, lines 14-29), comprising:

a lease condition storage unit that stores lease conditions corresponding to the communication device indicating conditions relating to approval/prohibition of distribution of the identifier (column 8, lines 37-45);

an initial control unit that, when a distribution request is received from the communication device, approves the identifier distribution to the communication device and stores initial lease conditions corresponding to the communication device into the lease condition storage unit, if the lease conditions corresponding to the communication device are not stored in the lease condition storage unit (column 6, lines 58-67; column 7, lines 1-15; column 8, lines 16-20);

a condition modification unit that modifies the lease conditions corresponding to the communication device stored in the lease condition storage unit;

and an identifier distribution approval/prohibition control unit that controls approval/prohibition of the identifier distribution to the communication device, based on the lease conditions corresponding to the communication device stored in the lease condition storage unit (column 6, lines 58-67; column 7, lines 1-47)

wherein the lease conditions include a period of time during which the identifier can be distributed (column 5, lines 59-67; column 6, lines 1-3), and

wherein the condition modification unit include:

a unit that automatically determines, at predetermined intervals, whether or not the period of time is satisfied (column 5, lines 59-67; column 6, lines 1-3); and

a unit that deletes from the lease condition storage unit those lease conditions for which it is determined that the period of time is not satisfied (column 6, lines 4-18).

7. With respect to claim 5, Bahlmann discloses the apparatus according to claim 3, in which the condition modification unit includes unit that modifies the initial lease conditions corresponding to the communication device to a set of normal lease conditions in which the identifier distribution is determined in advance based on information relating to execution of specific processing from the communication device (column 6, lines 58; column 7, lines 1-49).

8. With respect to claim 6, Bahlmann discloses the apparatus according to claim 3, in which condition modification unit includes a unit that extends for a predetermined duration of time the term condition stored in the lease condition storage unit corresponding to the communication device when the distribution request information is received from the communication device (column 11, lines 14-37).

9. With respect to claim 8, Bahlmann discloses the apparatus according to claim 3, in which the condition modification unit includes a unit that modifies the lease conditions corresponding to the communication device stored in the lease condition storage unit based on the information relating to the execution of the specific processing from a management device (column 5, lines 58-67; column 7, lines 1-10; column 11, lines 14-37).

10. With respect to claim 9, Bahlmann discloses the apparatus according to claim 3, wherein the identifier is an IP address.

11. With respect to claim 12, Bahlmann discloses a method for assigning a unique identifier to a communication device which uses a unique identifier to perform communication (column 3, lines 14-29), comprising:

a lease condition storage step of storing lease conditions corresponding to the communication device indicating conditions relating to approval/prohibition of distribution of the identifier;

an initial control step of, when a distribution request is received from the communication device, approving the identifier distribution to the communication device and storing initial lease conditions corresponding to the communication device by the lease condition storage step, if the lease conditions corresponding to the communication device are not stored by the lease condition storage step (column 6, lines 58-67; column 7, lines 1-15; column 8, lines 16-20);

a condition modification step of modifying the lease conditions corresponding to the communication device stored by the lease condition storage step; and

an identifier distribution approval/prohibition control step of controlling approval/prohibition of the identifier distribution to the communication device, based on the lease conditions corresponding to the communication device stored by the lease condition storage step (column 6, lines 58-67; column 7, lines 1-47).

wherein the lease conditions include a period of time during which the identifier can be distributed (column 5, lines 59-67; column 6, lines 1-3), and

wherein the condition modification unit include:

a unit that automatically determines, at predetermined intervals, whether or not the period of time is satisfied (column 5, lines 59-67; column 6, lines 1-3); and

a unit that deletes from the lease condition storage unit those lease conditions for which it is determined that the period of time is not satisfied (column 6, lines 4-18).

12. With respect to claim 14, Bahlmann discloses the method according to claim 12, in which the condition modification step includes a step of modifying the initial lease conditions corresponding to the communication device to a set of normal lease conditions in which the identifier distribution is determined in advance based on information relating to execution of specific processing from the communication device (column 6, lines 58; column 7, lines 1-49).

13. With respect to claim 15, Bahlmann discloses the method according to claim 12, in which the condition modification step includes a step of extending for a predetermined duration of time the term condition stored by the lease condition storage step corresponding to the communication device when the distribution request information is received from the communication device (column 11, lines 14-37).

14. With respect to claim 18, Bahlmann discloses a storage medium storing a program for assigning a unique identifier to a communication device which uses the unique identifier to perform communication (column 3, lines 14-29), the program comprising:

a lease condition storage step of storing lease conditions corresponding to the communication device indicating conditions relating to approval/prohibition of distribution of the identifier;

an initial control step of, when a distribution request information is received from the communication device, approving the identifier distribution to the communication device and storing initial lease conditions corresponding to the communication device by the lease condition storage step, if the lease conditions corresponding to the communication device are not stored by the lease condition storage step (column 6, lines 58-67; column 7, lines 1-15; column 8, lines 16-20);

a condition modification step of modifying the lease conditions corresponding to the communication device stored by the lease condition storage step; and

an identifier distribution approval/prohibition control step of controlling approval/prohibition of the identifier distribution to the communication device, based on the lease conditions corresponding to the communication device stored by the lease condition storage step (column 6, lines 58-67; column 7, lines 1-47).

wherein the lease conditions include a period of time during which the identifier can be distributed (column 5, lines 59-67; column 6, lines 1-3), and

wherein the condition modification unit include:



a unit that automatically determines, at predetermined intervals, whether or not the period of time is satisfied (column 5, lines 59-67; column 6, lines 1-3); and

a unit that deletes from the lease condition storage unit those lease conditions for which it is determined that the period of time is not satisfied (column 6, lines 4-18).

15. With respect to claim 20, Bahlmann discloses the medium according to claim 18, in which the condition modification step includes a step of modifying the initial lease conditions corresponding to the communication device to a set of normal lease conditions in which the identifier distribution is determined in advance based on information relating to execution of specific processing from the communication device (column 6, lines 58; column 7, lines 1-49).

16. With respect to claim 21, Bahlmann discloses the medium according to claim 18, in the condition modification step includes a step of extending for a predetermined duration of time the term condition stored by the lease condition storage step corresponding to the communication device when the distribution request information is received from the communication device (column 11, lines 14-37).

### ***Response to Arguments***

17. Applicant's arguments with respect to claims 3, 12, and 18 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BLAKE RUBIN whose telephone number is (571) 270-3802. The examiner can normally be reached on M-R: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BJR

/Ario Etienne/  
Supervisory Patent Examiner, Art Unit 2157